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Incyte Genomics, Inc.
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Palo Alto, CA 94304

In re Application of TANG et al
U.S. Application No.: 09/787,678
Int. Application No.: PCT/US99/22027
Int. Filing Date: 22 September 1999
Priority Date: 22 September 1998
Attorney Docket No.: PF-0595 USN
For: HUMAN CHAPERONE PROTEINS

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DECISION

This is in response to applicant's "Response to Decision on Petition" and "Petition for Name Change of Inventor Under 37 CFR 1.182" filed 02 June 2003.

BACKGROUND

On 22 September 1999, applicant filed international application PCT/US99/22027, which claimed priority of an earlier United States application filed 22 September 1998. A Demand for international preliminary examination, in which the United States was elected, was filed on 18 April 2000, prior to the expiration of nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 22 March 2001.

On 20 March 2001, applicant filed national stage papers with the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 19 April 2001, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 18 January 2002, applicant filed a petition under 37 CFR 1.47(a) along with a declaration executed by five of the six inventors.

On 25 March 2003, this Office mailed a decision dismissing the 18 January 2002 petition.

On 02 June 2003, applicant filed the present response along with a petition under 37 CFR 1.182.

DISCUSSION

The present response includes a declaration executed by Sajeew Batra. The response is a proper reply to the decision mailed 25 March 2003.

MPEP 605.04(c) states in relevant part,

In cases where an inventor's name has been changed after the application has been filed and the inventor desires to change his or her name on the application, he or she must submit a petition under 37 CFR 1.182. . . . The petition must include an appropriate petition fee and an affidavit signed with both names and setting forth the procedure whereby the change of name was effected, or a certified copy of the court order.

Inventor Chandra Arvizu is listed as Chandra Patterson in the international application. Applicant has filed a petition under 37 CFR 1.182 along with affidavits signed with both names and setting forth the procedure whereby the change of name was effected. The requisite petition fee will be charged to Deposit Account 09-0108 as authorized in the petition.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.182 is GRANTED.

The application has an International Filing Date of 22 September 1999 and a date under 35 U.S.C. 371 of 02 June 2003.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.



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